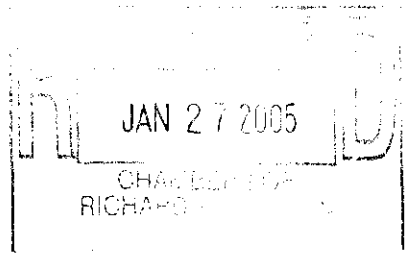


MEMO ENDORSED



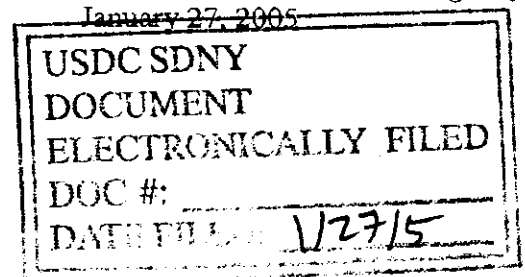
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BY FAX WITH PERMISSION

The Honorable Richard M. Berman
United States District Court Judge
United States District Court
Southern District of New York
40 Centre Street, Courtroom 706
New York, New York 10007



Re: Eneagua Lewis et al. v. City of New York, et. al.
04 CV 3696 (RMB)

Your Honor:

I am an Assistant Corporation Counsel with the New York City Law Department assigned to the defense of the above-referenced case. I write on behalf of both parties to respectfully request that the Court adjourn tomorrow's status conference until a date in the end of February that is convenient for the Court. We make this request because plaintiff's criminal case is still pending. The assigned Assistant District Attorney, Cary Seidman, Esq., informed me that she is scheduled to begin the criminal trial on February 3, 2005 and that she is fairly confident that the trial will begin on February 3, 2005. Ms. Seidman indicated that she would call us regarding the status.

We are hopeful that there will be a resolution by the end of February of 2005. Accordingly, we write to respectfully request that the Court adjourn the January 28, 2005 status conference. I will be out of the office February 19, 2005 through February 27, 2005. The parties are both available on February 28, 2005.

Thank you for your consideration

3/4/05 @ 12:45

RECORDED:

1/27/05 Richard M. Berman
David Zellman, Esq. (by fax 718-604-3074)
Richard M. Berman, U.S.D.J.

Respectfully submitted,

Sheryl A. Bruzzese (SB 5680)
Assistant Corporation Counsel